

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KPH Healthcare Services, Inc.,
a/k/a Kinney Drugs, Inc., et al.,

v.

Abbvie Inc., et al.

No. 1:20-cv-08754

KPH Healthcare Services, Inc.,
a/k/a Kinney Drugs, Inc., et al.,

v.

Hetero USA Inc., et al.

No. 1:20-cv-08756

**PLAINTIFF KPH’S NOTICE OF MOTION AND
MOTION FOR APPOINTMENT OF INTERIM
CO-LEAD COUNSEL FOR THE DIRECT PURCHASER CLASS**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 23(g), Plaintiff KPH Healthcare Services, Inc., a/k/a Kinney Drugs, Inc. (“KPH”), respectfully moves this Court for the appointment of Dianne M. Nast and Michael L. Roberts as interim co-lead counsel for the direct purchaser class in the above-captioned litigation. In support of this motion, and contemporaneously herewith, KPH submits the accompanying:

A. Memorandum of Law;

B. Declaration of Dianne M. Nast annexing Exhibits 1 through 9; and

C. Proposed Order.

Dated: October 20, 2020

Respectfully Submitted,

/s/Dianne M. Nast

Dianne M. Nast

NASTLAW LLC

1101 Market Street, Suite 2801

Philadelphia, PA 19107

Telephone: (215) 923-9300

Fax: (215) 923-9302

mford@nastlaw.com

jnroda@nastlaw.com

dnast@nastlaw.com

Michael L. Roberts

Stephanie Egner Smith

ROBERTS LAW FIRM, P.A.

1920 McKinney Avenue, Suite 700

Dallas, Texas 75201

Telephone: (501) 952-8558

mikeroberts@robertslawfirm.us

stephaniesmith@robertslawfirm.us

*Counsel for Plaintiff KPH Healthcare
Services, Inc. a/k/a Kinney Drugs, Inc. and
the putative Direct Purchaser Class*

CERTIFICATE OF SERVICE

I, Dianne M. Nast, certify that, on this date, the foregoing documents were served on all counsel of record by filing via the Court's CM/ECF system, and by electronic mail to the following counsel:

Bruce E. Gerstein
Garwin Gerstein & Fisher LLP
88 Pine Street, 10th Floor
New York, NY 10005
bgerstein@garwingerstein.com

David F. Sorensen
Berger Montague PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
dsorensen@bm.net

*J M Smith Corporation's Proposed Interim Co-Lead Counsel
in Case Nos. 20-cv-5735 and 20-cv-7110 (S.D.N.Y.) (LJL)*

Dated: October 20, 2020

/s/Dianne M. Nast _____
Dianne M. Nast